



March 25, 2003

ENGROSSED HOUSE BILL No. 1336

DIGEST OF HB 1336 (Updated March 24, 2003 11:52 AM - DI 77)

Citations Affected: IC 6-6; IC 14-8; IC 14-9.

Synopsis: Lake and river enhancement. Increases the lake and river enhancement fee to \$15. Requires two-thirds of the revenue from this fee be allocated for the lake and river enhancement fund and one-third of the revenue allocated for the conservation officers marine enforcement fund. Allows DNR to transfer 20% of the funds in the conservation officers marine enforcement fund into the counties with special boat patrol needs fund. Makes an appropriation of money in the conservation officers marine enforcement fund. (The introduced version of this bill was prepared by the natural resources study committee.)

Effective: July 1, 2003.

Adams T, Kruse

(SENATE SPONSORS — MEEKS R, CRAYCRAFT)

January 14, 2003, read first time and referred to Committee on Agriculture, Natural Resources and Rural Development.

February 10, 2003, amended, reported — Do Pass. Recommitted to Committee on Ways and Means.

February 18, 2003, amended, reported — Do Pass.

February 24, 2003, read second time, ordered engrossed. Engrossed.

February 25, 2003, read third time, passed. Yeas 61, nays 37.

SENATE ACTION

February 27, 2003, read first time and referred to Committee on Natural Resources.

March 24, 2003, amended, reported favorably — Do Pass; reassigned to Committee on Finance.

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EH 1336—LS 6275/DI 77+



March 25, 2003

First Regular Session 113th General Assembly (2003)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2002 Regular or Special Session of the General Assembly.

ENGROSSED HOUSE BILL No. 1336

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 6-6-11-12 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) In addition to
3 paying the boat excise tax, a boat owner shall complete a form and pay
4 a department of natural resources fee for each boat required to have
5 boat excise decals. The fee is five dollars (\$5) for each boating year.
6 However, the fee is waived for the boating year in which the
7 registration fee prescribed by IC 9-29-15 is paid for that boat. The
8 revenue from the fees collected under this chapter shall be transferred
9 to the department of natural resources, as provided in section 29 of this
10 chapter.
11 (b) In addition to the boat excise tax and the department of natural
12 resources fee, a boat owner shall pay to the department of natural
13 resources a ~~five~~ **fifteen** dollar (~~\$5~~) (**\$15**) lake and river enhancement
14 fee for each boat required to have boat excise decals.
15 (c) The revenue from the lake and river enhancement fee **imposed**
16 **under subsection (b)** shall be deposited in the **following manner:**
17 (1) **Two-thirds (2/3) of the money shall be deposited in the lake**

EH 1336—LS 6275/DI 77+



and river enhancement fund established by section 12.5 of this chapter.

(2) One-third (1/3) of the money shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

SECTION 2. IC 6-6-11-12.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12.5. (a) The lake and river enhancement fund is established **and allocated** for the purpose of **paying following purposes:**

(1) One half (1/2) of the fund shall be used to pay costs incurred by the department of natural resources in implementing the lake and river enhancement projects required by IC 14-32-7-12(b)(7).

(2) One half (1/2) of the fund shall be used by the department of natural resources to pay for lake projects, including projects to:

(A) remove sediment; or

(B) control exotic or invasive plants or animals.

(b) The fund shall be administered by the director of the department of natural resources.

(c) Expenses of administering the fund shall be paid from money in the fund.

(d) The fund consists of the revenue from the lake and river enhancement fee paid by boat owners **and deposited** under ~~IC 6-6-11-12(b)~~ **section 12(b)(1) of this chapter.**

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) With the approval of the governor and the budget agency, **the** money in the fund **allocated under subsection (a)(1)** may be used to augment and supplement the funds appropriated for the implementation of lake and river enhancement projects required by IC 14-32-7-12(b)(7).

SECTION 3. IC 14-8-2-107, AS AMENDED BY P.L.145-2002, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 107. "Fund" has the following meaning:

(1) For purposes of IC 14-9-5, the meaning set forth in IC 14-9-5-1.

(2) For purposes of IC 14-9-8-21, the meaning set forth in IC 14-9-8-21.

(3) For purposes of IC 14-9-8-21.5, the meaning set forth in IC 14-9-8-21.5.

(4) For purposes of IC 14-9-9, the meaning set forth in

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- 1 IC 14-9-9-3.
- 2 ~~(4)~~ **(5)** For purposes of IC 14-12-1, the meaning set forth in
- 3 IC 14-12-1-1.
- 4 ~~(5)~~ **(6)** For purposes of IC 14-12-2, the meaning set forth in
- 5 IC 14-12-2-2.
- 6 ~~(6)~~ **(7)** For purposes of IC 14-12-3, the meaning set forth in
- 7 IC 14-12-3-2.
- 8 ~~(7)~~ **(8)** For purposes of IC 14-13-1, the meaning set forth in
- 9 IC 14-13-1-2.
- 10 ~~(8)~~ **(9)** For purposes of IC 14-13-2, the meaning set forth in
- 11 IC 14-13-2-3.
- 12 ~~(9)~~ **(10)** For purposes of IC 14-19-4, the meaning set forth in
- 13 IC 14-19-4-1.
- 14 ~~(10)~~ **(11)** For purposes of IC 14-19-5, the meaning set forth in
- 15 IC 14-19-5-1.
- 16 ~~(11)~~ **(12)** For purposes of IC 14-20-1, the meaning set forth in
- 17 IC 14-20-1-3.
- 18 ~~(12)~~ **(13)** For purposes of IC 14-20-11, the meaning set forth in
- 19 IC 14-20-11-2.
- 20 ~~(13)~~ **(14)** For purposes of IC 14-22-3, the meaning set forth in
- 21 IC 14-22-3-1.
- 22 ~~(14)~~ **(15)** For purposes of IC 14-22-4, the meaning set forth in
- 23 IC 14-22-4-1.
- 24 ~~(15)~~ **(16)** For purposes of IC 14-22-5, the meaning set forth in
- 25 IC 14-22-5-1.
- 26 ~~(16)~~ **(17)** For purposes of IC 14-22-8, the meaning set forth in
- 27 IC 14-22-8-1.
- 28 ~~(17)~~ **(18)** For purposes of IC 14-22-34, the meaning set forth in
- 29 IC 14-22-34-2.
- 30 ~~(18)~~ **(19)** For purposes of IC 14-23-3, the meaning set forth in
- 31 IC 14-23-3-1.
- 32 ~~(19)~~ **(20)** For purposes of IC 14-23-8, the meaning set forth in
- 33 IC 14-23-8-1.
- 34 ~~(20)~~ **(21)** For purposes of IC 14-25-2-4, the meaning set forth in
- 35 IC 14-25-2-4.
- 36 ~~(21)~~ **(22)** For purposes of IC 14-25-10, the meaning set forth in
- 37 IC 14-25-10-1.
- 38 ~~(22)~~ **(23)** For purposes of IC 14-25-11-19, the meaning set forth
- 39 in IC 14-25-11-19.
- 40 ~~(23)~~ **(24)** For purposes of IC 14-25.5, the meaning set forth in
- 41 IC 14-25.5-1-3.
- 42 ~~(24)~~ **(25)** For purposes of IC 14-28-5, the meaning set forth in



1 IC 14-28-5-2.

2 ~~(25)~~ (26) For purposes of IC 14-31-2, the meaning set forth in
3 IC 14-31-2-5.

4 ~~(26)~~ (27) For purposes of IC 14-25-12, the meaning set forth in
5 IC 14-25-12-1.

6 ~~(27)~~ (28) For purposes of IC 14-33-14, the meaning set forth in
7 IC 14-33-14-3.

8 ~~(28)~~ (29) For purposes of IC 14-33-21, the meaning set forth in
9 IC 14-33-21-1.

10 ~~(29)~~ (30) For purposes of IC 14-34-6-15, the meaning set forth in
11 IC 14-34-6-15.

12 ~~(30)~~ (31) For purposes of IC 14-34-14, the meaning set forth in
13 IC 14-34-14-1.

14 ~~(31)~~ (32) For purposes of IC 14-37-10, the meaning set forth in
15 IC 14-37-10-1.

16 SECTION 4. IC 14-9-8-21.5 IS ADDED TO THE INDIANA CODE
17 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
18 1, 2003]: Sec. 21.5. (a) As used in this section, "fund" refers to the
19 conservation officers marine enforcement fund established by this
20 section.

21 (b) The conservation officers marine enforcement fund is
22 established. The department shall administer the fund. The
23 department may expend the money in the fund exclusively for
24 marine enforcement efforts associated with recreational boating on
25 Indiana waters, including uses described in IC 14-9-9-5.

26 (c) The fund consists of money from the lake and river
27 enhancement fee paid by boat owners and deposited under
28 IC 6-6-11-12(b)(2). Money deposited in the fund is annually
29 appropriated and allotted to the department to carry out the
30 purposes of this section. The expenses of administering the fund
31 shall be paid from money in the fund.

32 (d) Money in the fund at the end of a state fiscal year does not
33 revert to the state general fund. However, the department may
34 transfer from the fund to the counties with special boat patrol
35 needs fund (IC 14-9-9-5) an amount that does not exceed twenty
36 percent (20%) of money deposited into the fund.

37 SECTION 5. IC 14-9-9-5 IS AMENDED TO READ AS FOLLOWS
38 [EFFECTIVE JULY 1, 2003]: Sec. 5. (a) The counties with special
39 boat patrol needs fund is established exclusively to provide grants to
40 certain counties to provide law enforcement services on lakes located
41 within the counties.

42 (b) The department shall administer the fund. **Money in the fund**



- 1 **includes money transferred from the conservation officers marine**
2 **enforcement fund (IC 14-9-8-21.5).** Money in the fund is annually
3 appropriated to the department and shall be used exclusively for the
4 enforcement of laws pertaining to watercraft on lakes located in
5 counties with special boat patrol needs as described in this chapter.
6 (c) The expenses of administering the fund shall be paid from
7 money in the fund.
8 (d) The treasurer of state shall invest the money in the fund not
9 currently needed to meet the obligations of the fund in the same
10 manner as other public funds may be invested.
11 (e) Money in the fund at the end of a fiscal year does not revert to
12 the state general fund.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture, Natural Resources and Rural Development, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 6-6-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2003]: Sec. 12. (a) In addition to paying the boat excise tax, a boat owner shall complete a form and pay a department of natural resources fee for each boat required to have boat excise decals. The fee is five dollars (\$5) for each boating year. However, the fee is waived for the boating year in which the registration fee prescribed by IC 9-29-15 is paid for that boat. The revenue from the fees collected under this chapter shall be transferred to the department of natural resources, as provided in section 29 of this chapter.

(b) In addition to the boat excise tax and the department of natural resources fee, a boat owner shall pay to the department of natural resources a ~~five dollar (\$5)~~ lake and river enhancement fee for each boat required to have boat excise decals **in the amount set forth in the following table:**

Value of the Boat	Amount of the Fee
Less than \$2,000	\$ 5
At least \$2,000, but less than \$5,000	\$15
At least \$5,000, but less than \$10,000	\$20
At least \$10,000, but less than \$22,500	\$25
At least \$22,500, but less than \$50,000	\$30
At least \$50,000	\$40

(c) The revenue from the lake and river enhancement fee **imposed under subsection (b)** shall be deposited in the **following manner:**

(1) **Two-thirds (2/3) of the money shall be deposited in the lake and river enhancement fund established by section 12.5 of this chapter.**

(1) **One-third (1/3) of the money shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5."**



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Renumber all SECTIONS consecutively.
and when so amended that said bill do pass.
(Reference is to HB 1336 as introduced.)

BISCHOFF, Chair

Committee Vote: yeas 10, nays 4.

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COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources and to make an appropriation.

and when so amended that said bill do pass.

(Reference is to HB 1336 as printed February 11, 2003.)

CRAWFORD, Chair

Committee Vote: yeas 21, nays 3.

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COMMITTEE REPORT

Mr. President: The Senate Committee on Natural Resources, to which was referred House Bill No. 1336, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

Page 1, line 13, after "five" insert "**fifteen**".

Page 1, line 13, reset in roman "dollar".

Page 1, line 13, after "(\$5)" insert "**(\$15)**".

Page 1, line 14, delete "decals in the amount set forth in the" and insert "decals.".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 5.

and when so amended that said bill do pass and be reassigned to the Senate Committee on Finance.

(Reference is to HB 1336 as printed February 19, 2003.)

WEATHERWAX, Chairperson

Committee Vote: Yeas 5, Nays 4.

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